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February 7, 2022

Hon. Daniel J. Stewart
United States Magistrate Judge
James T. Foley United States Courthouse
445 Broadway
Albany, New York 12207

*Re: USA v. Christopher Pence
1:21-CR-393 (TJM)*

Dear Judge Stewart:

I write today to forward character references provided on behalf of Christopher Pence in anticipation of the scheduled detention hearing, and to outline Mr. Pence's position. There are conditions that would allow for Mr. Pence's release pending trial in this case.

The Court should be aware of Mr. Pence's very large immediate family. Mr. Pence is the sole financial supporter to his wife Michelle and the couple's sixteen children. Lengthy pretrial detention creates a critical economic crisis for the family. His release, and ability to work are critical to seventeen immediate family members.

Mr. Pence has no criminal history. He is educated. He has a long term and consistent employment history. He has no reason to run. Flight would be impossible with his sixteen children.

As you will see from the enclosed correspondence, Mr. Pence has a large network of family and friends who will support him in this case and ensure that he return to court and not commit any crimes or other dangerous acts while on pretrial release.

Mr. Pence also owns real property in his home State of Utah that would provide the potential for a property bond to further secure his return. If he were directed to report to probation and be supervised by GPS monitor, there is no risk that he would flee or engage in criminal activity while released. Certainly, he would not risk the home of his sixteen children either to evade these charges.

I anticipate the Government arguing for detention based on Mr. Pence's residing outside the district and the nature of the charges. Pretrial supervision is transferred

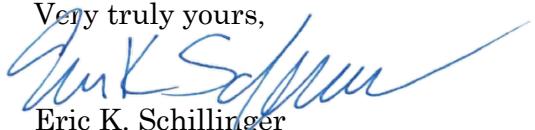
outside of the Northern District of New York without issue on a regular basis. Conditions guaranteeing Mr. Pence is not a flight risk can be enforced in essentially any location in the United States. He has already been subjected to one, many months long trip across the country to be produced here by the U.S. Marshals. He would gladly voluntarily appear here if given the opportunity to do so, in a much more efficient manner, via commercial flight.

No one was hurt here. No actual violence is alleged. If Mr. Pence's internet use were restricted as a condition of supervised release, it would make the criminal conduct the government alleges Mr. Pence engaged in completely impossible. The safety of the community can easily be guaranteed.

Conditions can be set that would allow for Mr. Pence's release pending trial here – probation supervision, GPS monitoring, and restricted internet access, plus the posting of a property bond. With each of these conditions, Mr. Pence's return to court would be guaranteed. While Mr. Pence simply does not pose a danger to the community, with these conditions, that reality would be formally conformed.

Thank you for your attention to this matter. Please contact my office with any questions.

Very truly yours,



Eric K. Schillinger
Enc.

cc: AUSA Emmett O'Hanlon [Via ECF]
Client